

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FRANCIS R. FERRI
DOC NO: EN-0177
SCI DALLAS
1000 FOLLIES ROAD
DALLAS, PA. 18612,

Plaintiff,

VS.

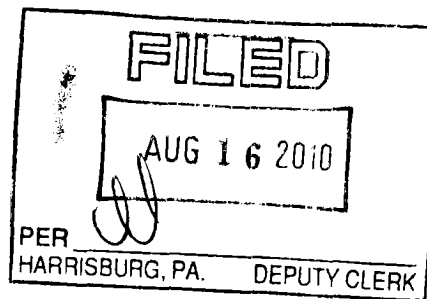
CASE NO:

PENNSYLVANIA DEPARTMENT OF
CORRECTIONS (DOC),
2520 LISBORN ROAD
CAMP HILL, PA. 17001-0598

AND,

JPAY
12864 BISCAYNE BLVD
MIAMI, FL. 33181-2007,

Defendants.



PETITION FOR A PRELIMINARY INJUNCTION

COMES NOW; the plaintiff, Francis R. Ferri, and most respectfully, moves this Honorable Court, pursuant to Rule 65(a), Title 28 U.S.C. Federal Rules of Civil Procedure, to issue a preliminary and subsequently, a permanent injunction, to enjoin the Pennsylvania Department of Corrections (DOC), and JPAY, from enforcing a contract entered into between these defendant, whereby plaintiff, and all DOC prisoners are barred from receiving U.S. Postal Orders from their families, to be placed in the prisoner's prison trust fund.

Said contract, and ban of DOC of receiving U.S. Postal Money Orders from the prisoners family, or approved parties, violates the prisovers rights under the Supremacy Clause, Article VI, Cl. 2, of the United States Constitution.

PARTIES

Plaintiff, Francis R. Ferri is a Pennsylvania State Prisoner serving a term of life imprisonment at the Pennsylvania State Correction Institution (SCI) Dallas, 1000 Follies Road, Dallas, Pa. 18612. His DOC No. is: EN-0177.

Defendant, DOC is a Pennsylvania State Agency, empowered to house, imprison, persons convicted and sentenced to crimes of two or more years, Title 61, P.S. §72 et seq.

Defendant currently imprisons over 52, 000 prisoners in 27 prisons within Pennsylvania, and contracts with the States of Michigan and Virginia to house Pennsylvania prisoners in those states.

Defendant. JPAY is a corporation, which accepts funds to be transferred to any individual, corporation, or prison facility. To the best of plaintiff's knowledge, its principal offices are located at 12864 Biscayne Blvd., Miami, Florida, 33181-2007.

STATEMENT OF THE FACTS

1) The DOC's 27 prisons are cashless communities enclosed within secure facilities preventing contact with outside communities for the exchange of goods and services.

Goods and services are available in a prison society via a prison trust fund account, accessible by the prisoners identification number by submitting a "CASH SLIP" or submitting a "COMMISSARY MENU" form. See Exhibits A and B.

Cash Slips are used to pay for all other goods or services not available under the Commissary Menu. Several examples are noted: Cash Slips for "sick-call" visits; postage; and a

modified copy card cash slip, for prisoners engaged in filing legal pleadings. See Exhibit C.

2) Prisoners obtain monetary credits to their Prison Trust Fund (PTF) accounts via two methods. (a) Earning a salary as prison employees, whereby the pay scale is determined by the skill necessary to perform the task at hand. All prisoners in this category are paid once a month, as per the hours employed; or (b) by gifts submitted via the U.S. Mails in the form of U.S. Postal Money Orders or checks from recognized financial institutions. See Exhibit D, monthly accounting of the gifts and cash slip expenditures of this plaintiff. Exhibit D(1).

Few prisoners (less than 1%) have bank accounts. Thus, 99% of all gifts credited to a prisoner's PTR account is channeled through U.S. Postal Money Orders.

Within the past few years, a company named JPAY, whose address is 12864 Biscayne Blvd., Miami, Florida 33181-2007, accepts funds from individuals to be sent as gifts to DOC prisoners.

3) Gifts to a prisoner in the form of a U.S. Postal Money Order, are recognized by the DOC as cash, and are instantly credited to the prisoners' PTF. Whether gifts from JPAY receive the same credibility is unknown.

4) Other than the foregoing methods described above, no other method-system for the acceptance or disbursement of a prisoner's PTF account is available.

5) On or about August 01, 2010, a DOC employee placed on the prisoner bulletin board a notice that states "Attention All Visitors." The notice explicitly state that "JPAY has signed a contract with the DOC to provide a lock box service for ALL money orders sent to PA DOC inmates" See Exhibit E. Included in this broad definition of a money order is JPAY's position that "U.S. Postal Service money, funds" are also included.

JPAY's statement that as of "SEPTEMBER 1st, 2010, ALL MONEY ORDERS MUST BE MAILED TO JPAY" at their Miami, Fl. address.

In order to process the U.S. Postal Money Order, it must be made payable to JPAY, accompanied with completed "JPAY.COM Pennsylvania Money Order Coupon." See Exhibit E.

6) No, and I repeat, NO DOC NOTICE has been placed on the prisoner bulletin board acknowledging the validity of JPAY's notice. However, since only a DOC employee placed said JPAY notice on the prisoner bulletin board, and only a DOC employee of an executive status would have knowledge of such a contract, prisoners are left with no choice but to accept as valid the notice, etc. statements on Exhibit E.

7) Under the present system for [friends] to send funds to a prisoner, this simple process applies: (a) purchase a U.S. Postal Money order place the prisoner's name and number on the Money Order; (b) place the Money Order in a self-addressed envelope to the prisoner's address; (c) place a stamp on the envelope and mail. The friend may enclosed a letter, short message to the prisoner in the envelope at no extra cost.

The DOC Mail Room receives the letter 2-3 days later, inspects all prisoner mail for contraband, takes notice of the money order. Because its a U.S. Postal Money Order those funds are immediately credited to the prisoners's PTF, the envelope and a pink slip acknowledging receipt of the funds is sent to the prisoner in the evening mail.

This simple three step process for friends and prisoners to send and receive funds has been functioning perfectly for over 50 years. Its simplicity accommodates the elderly, the illiterate, and friends in foreign countries.

8) Under the JPAY system for prisoners to receive funds from their [friends] the following steps must be rigidly complied with:

- a) Purchase a U.S. Postal Money Order, make it payable to JPAY;
- b) Obtain a Pennsylvania Money Order Coupon, presumably from the prisoner; Appendix E, page 2.
- c) All Pa. Money Order Coupons information must be "CLEARLY TYPED in order for the funds to be posted to be posted to the inmate account." Appendix E, Statement 2.
- d) Place all the above in a letter to JPAY at 12864 Biscayne Blvd., Miami, FL 33181-2007.
- e) Send a separate letter to the prisoner advising him of the Money Order and amount sent to JPAY, along with the normal friend-prisoner personal correspondence matters.

"Within 48 business hours upon receipt by JPAY" the funds will be automatically deposited in the inmates account. Appendix E, Statement 1.

BASIS TO GRANT THE TEMPORARY RESTRAINING ORDER

9) The following irreparable harm will befall thousands of DOC prisoners absent a restraining order barring the DOC from entering in a contract with JPAY as set forth in Exhibit E and said contract violates the prisoners' rights under the Supremacy Clause of the U.S. Constitution:

- A) As long as the DOC uses the PTF accounting and Cash Slip prepayment system for prisoners to exercise these Constitutional rights, the DOC must accept U.S. Postal Money order "as legal tender" as prisoner payment for these services:
- Medicial Services: Policy Statement 820;
- Legal Services: Policy Statement 007;
- Postal Services: Policy Statement 803.

The DOC's refusal to accept U.S. Postal Money Orders as "legal tender" for the payment of these services violates the Supremacy Clause, Article VI, Clause 2, of the U.S. Constitution, Dooley v. Smith, 80 U.S. 604 (1871); Bissell v. Heyward, 96 U.S. 580 (1877).

Therefore, the DOC "contract" with JPAY as alleged in Exhibit E, is unconstitutional, and the Restraining Order should issue.

B) Many of the prisoners [friends] who sent funds to the prisoner are Americans With Disabilities as outlined in Title 42 U.S.C. §12101 et seq. They may be incapable of, or not have, a typewriter to comply with JPAY's requisite that the Coupon "must be CLEARLY TYPED" for JPAY to process the funds to the prisoner.

To place this requisite upon all funds forwarded to JPAY, and for the DOC to accept such a contract violates the

Americans With Disabilities Act, Toyota Motor MFG. v. Williams, 534 U.S. 184 (2002) (Worker's carpal tunnel syndrome and related impairments substantially limited her in performing manual tasks). The reverse also invokes the ADA, when the prisoner has mental and/or physical impairments, Pennsylvania Dept. of Corr's. v. Yeskey, 524 U.S. 206 (1998). Pennsylvania as of 2005 imprisoned 6, 979 ADA prisoners "with serious" ADA impairment. See Exhibits F, F(1).

These ADA prisoners must notify each [friend] of the new system for forwarding them U.S. Postal Money Orders, and do so on a regular basis with the JPAY coupon enclosed.

C) To obtain products via the DOC's commissary menu system, the prisoner fills out the form (Exhibit B) and submits it to his Block Officer on Sunday night. On Monday the form is processed, the funds deducted from his account. The products are not received until 8 - 9 days later. This puts the prisoner in a catch 22 position. He must maintain an inventory of certain medications-products such as: aspirin-tylenol; laxatives; cough-drops; sore-throat medications; anti-acids; etc.; which are reasonably priced; or when one of these maladies strikes, fill out a sick call Cash Slip, pay \$5.00 for the sick-call and \$5.00 for one dose of the medication; or file a commissary form, and wait 8-9 days for the medication to arrive.

Now, if these 7,000 ADA prisoners fail to stay abreast of JPAY's requisites as set forth in ISSUE (B) above, they will either suffer for 8-9 days; or pay the Cash Slip piper the \$10.00 to ease their pain and suffering.

D) By outsourcing the collection and processing of U.S. Postal Money orders to the proper PTF account, the DOC sheds its accountability and liability when U.S. Postal Money Orders are mishandled in the DOC Mail Room. Examples, the funds are applied to the wrong PTF, the envelope falls behind a desk, some inadvertent event occurs, and the Money Order is not placed on the PTF.

These same inadvertent mishaps will occur to JPAY's processing of now, 52,000 prisoners' U.S. Postal Money Orders. That problem will be exacerbated by a multiple of 27, because, that workload is now divided by the DOC's 27 facilities. Those facilities already have a system of accountability and processing Money Orders, and a remedy when one is lost or unaccountable.

If these mishaps occur to JPAY's facility in Miami, Florida, what is the sender/prisoner legal remedy to resolve the matter. File a legal claim in the Miami state courts. What if the injured party(s) are ADA prisoners-friends.

What is the prisoner/sender's remedy when a hurricane hits JPAY's offices, and thousands of money orders are lost, damaged or otherwise unaccountable for?

E) JPAY's notice, Exhibit E, states that it accept, process, and apply the Money Order to the PTF without any charge save the cost of purchasing the Money Order. The Trojan Horse lesson applies here. Beware of free gifts and services. Logic teaches us the processing of possibly 52,000 Money Orders each month, will require an equal amount of manpower that the DOC now employs to do the same task.

F) Under DOC processing, U.S. Postal Money Orders are posted to the PTF The day of receipt. Under the JPAY system. the Money Order is Posted "within 48 hours upon receipt on business days only."

Thus, the JPAY system delays by "48 hours" at the very least posting the Money Order on the PTF, and costs the sender an extra postage each time he/she sends funds to the prisoner, (to protect both sender and prisoners' interests if the Money Order is unaccounted for).

These time and cost factors become important when the prisoner is in dire ;need of funds to exercise: medical needs; time factor in photo-copying, and posting legal pleadings; and to avoid the catch 22 scenario outlined in claim (c) above.

G) All cash-less prison systems enter into a contract with the prisoner granting prison authorities that right to; (i) accept and cash [funds] sent to a prisoner and credit said funds to the PTF; and (ii) accept regular, certified and registered mail on behalf of the prisoner. An example is noted in Duesenberry V. U.S. 534 U.S. 161 (2002) federal prisons.

The DOC prison system is no different, prisoners excute for, DG 155, a power of attorney /granting the DOC the right to receive incoming mail, money orders, place said fund in the PTF, Guyer V. Beard 907 F. 2nd 1424 (3rd Cir. 1990), accord Kutnyak V. Pa DOC, 923 A.2d 1248 (Comwelth 2007). Because it is a written contract, with no disclaimers, it is an explicit contract, Kutak, supra, and attorney client agreements are contracts, Shornhurst V Peoples Bank & Trust Co. of Pittsburgh, 152 A 569, 520 (1930)

("Where a letter of attorney form[s] part of a contract, and is security for money, or the performance of any act which is deemed valuable, it is generally irrevocable. " ibid.

Our Supreme Court takes the same tack Eldred B. Ashcroft, 123 S. Ct. 769, 792; 537 U.S. 187, 226 (2003) accord Strogner V. California, 123 S. Ct. 2451 (2003) (The "Constitutional prohibition against legislation impairing the obligation of contracts is prohibited.")

Therefore, the two good defendants' contract violates the attorney client contract, DO 155, between the DOC and the prisoner population, which this plaintiff is a party to. That conduct is prohibited, Shorthurst, supra, Pennsylvania controlling law, Eldred and Strogner, supra, federal law.

Last, but not least, these two defendants engaged in a conspiracy, to avoid the DOC's contractual obligations to the prisoner population. A criminal offense.

CONCLUSION

10) Plaintiff contends that the temporary restraining order should issue because:

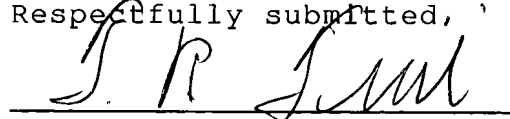
- a) The DOC's refusal to accept U.S. Postal Money orders on behalf of its prisoners violates the Supremacy clause of the U.S. Constitution, whereas U.S. currency must be accepted as "legal tender" for the payment of all goods and services. See Statement (9) (A).

- b) The DOC's refusal to accept U.S. Postal Money orders on behalf of its prisoner population constitutes implementing a policy impairing its contractual obligations with the prison under the DG 155 power of attorney contract entered into with the prisoner. See Statement 9(g).
- c) The DOC's refusal to accept U.S. Postal Money orders on behalf of its prisoners causes a series irreparable hardships upon the prisoner, and the sender as set forth in Statement 9(b) through (9)(F), and in many instances violates the American With Disabilities Act, Title 42, U.S.C. Section 12101 et seq.

11) Plaintiff moves the Court to impose upon the losing party: all costs in filing and prosecuting or defending one's interests in this cause.

Should the plaintiff prevail in this cause, he moves this Honorable Court to impose triple damages upon the losing parties they have openly violated the U.S. Constitution and have engaged in a criminal conspiracy to do so.

Respectfully submitted, '



Francis R. Ferri, EN 0177
SCI Dallas
1000 Follies Road
Dallas, Pa. 18612

Submitted pursuant to the provisions of Title 18, U.S.C. Section 1746, the penalty of perjury, on this 14th day of August, 2010.

EXHIBIT - A

COMMISSARY MENU

INMATE NUMBER

MARKING INSTRUCTIONS

- Use a number 2 pencil only.
- Make dark marks that fill the oval completely.
- Do not use pens with ink that soaks through the paper.
- Make no stray marks.

Date

Block

Cell

Bed

Full Name (print)

Damages or shortages must be identified upon delivery of commissary items to you. If you are released prior to receiving your order, you will have one week from the date of order delivery to claim your commissary items. Orders left beyond that time will be forfeited. By signing below, I acknowledge and understand the terms of commissary orders and I authorize funds to be deducted from my trust fund account to pay for this order.

Sign Here X

MERCHANDISE REQUESTED**1**

ITEM CODE QTY

2

ITEM CODE QTY

3

ITEM CODE QTY

4

ITEM CODE QTY

5

ITEM CODE QTY

6

ITEM CODE QTY

7

ITEM CODE QTY

8

ITEM CODE QTY

9

ITEM CODE QTY

10

ITEM CODE QTY

11

ITEM CODE QTY

12

ITEM CODE QTY

13

ITEM CODE QTY

14

ITEM CODE QTY

15

ITEM CODE QTY

16

ITEM CODE QTY

17

ITEM CODE QTY

18

ITEM CODE QTY

ALL SALES FINAL-NO EXCHANGES OR RETURNS

PRICES ARE SUBJECT TO CHANGE WITHOUT NOTICE

EXHIBIT - B

COPY CARD PURCHASE/RENEWAL

BALANCE

DATE: _____

NAME _____

INMATE# _____

CELL LOCATION _____

I WISH TO PURCHASE/ RENEW A VENDA CARD IN THE AMOUNT OF

MINIMUM AMOUNT TO PURCHASE /RENEW IS **\$2.00**
MAXIMUM AMOUNT TO PURCHASE/RENEW IS **\$99.90**

INMATE ACCOUNTING WILL REJECT YOUR REQUEST IF YOU DO NOT HAVE
THE REQUESTED AMOUNT ON YOUR ACCOUNT

THERE WILL BE **NO REFUNDS** FOR PRIOR PURCHASE/RENEWAL
ON DAMAGED, LOST OR STOLEN CARDS.

I FULLY UNDERSTAND THAT THIS CARD MAY NOT BE TRANSFERRED TO ANOTHER INMATE AND
THAT THIS CARD **MAY NOT BE GIVEN TO ANOTHER INMATE TO USE.**

REFUNDS WILL BE GIVEN **ONLY** FOR PAROLE—RELEASE—CCC PLACEMENT
OR TRANSFER TO ANOTHER INSTITUTION.

DO NOT THROW YOUR CARD AWAY. YOUR CURRENT VENDA-CARD

MUST BE SUBMITTED WHEN YOU APPLY FOR ADDITIONAL FUNDS

THE LIBRARY WILL TAKE YOUR CARD TO INMATE ACCOUNTING.
WHEN READY, THE LIBRARY WILL PICK UP THE CARD FROM INMATE
ACCOUNTING.

DO NOT SEND CARD TO INMATE ACCOUNTING YOURSELF

WITNESS

INMATE SIGNATURE

EXHIBIT - C

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL™



9658 4922 9000 0TTE E002
9658 4922 9000 0TTE E002

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

FERRI
EN 0177
Postmark Here
I BLOCK

Sent To U.S. SUPREME COURT CLERK
Street, Apt. No.,
or PO Box No. 1 FIRST ST. N. E
City, State, Zip+4 WASHINGTON DC 20543-0001

PS Form 3800, June 2002

See Reverse for Instructions

Honorable
Supreme Co
1 First St
Washington

DC-13

1. REC DOC NUM: EN 0177	2. ITE
Please to 1 reg. The Supr 1 F. Wasi Certi 700: Please ret Thar	
3. INMATE 5. BUS CHARGE I	

DC-138A

**CASH
SLIP**

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

1. REQUISITIONING INMATE		
DOC NUMBER EN 0177	NAME (PRINT) Francis Ferri	LOCATION I
2. ITEMS TO BE CHARGED TO MY ACCOUNT		DATE 6-02-10

Please debit my prison account for the postage
to mail the attached envelope via certified
registered mail to:

The Honorable William E. Suter,
Supreme Court Clerk
1 First Street
Washington, D.C. 20543-0001

Certified registered Mail No:
7003 3110 0006 2764 8596

Please time stamp date of mailing and
return one copy of this cash slip to me.
Thank You.

3. INMATE'S SIGNATURE <i>[Signature]</i>	4. OFFICIAL APPROVAL
5. BUSINESS OFFICE'S SPACE	
CHARGE ENTERED	BOOKKEEPER

EXHIBIT - D

INMATE ACCOUNTS SYSTEM
MONTHLY ACCOUNT STATEMENT

7/1/2009 5:02:07 AM

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06/01/2009 To 06/30/2009

DAL

Location	Inmate#	Last Name	First name	MI	Old balance
I-A-1002	EN0177	FERRI	FRANCIS	R	802.24
Batch#	Date	Tran. Code	Transaction Description	Transaction Amount	Balance after Transaction
8152	06/01/2009	32	DAL COMMISSARY - FOR 6/01/2009	-19.31	802.24
4674	06/03/2009	44	ORGANIZATIONAL - LIFE ASSOCIATION MEMBERSHIP	-10.00	792.24
8159	06/08/2009	32	DAL COMMISSARY - FOR 6/08/2009	-14.79	777.45
4693	06/09/2009	37	POSTAGE - MAY CHARGES	-1.22	776.23
4698	06/10/2009	37	POSTAGE - JUNE CHARGES	-1.39	774.84
4698	06/10/2009	37	POSTAGE - JUNE CHARGES	-4.95	769.89
8162	06/11/2009	86	DAL COMMISSARY CR - FOR 6/11/2009	0.87	770.76
4716	06/12/2009	37	POSTAGE - JUNE	-0.61	770.15
8166	06/15/2009	32	DAL COMMISSARY - FOR 6/15/2009	-12.49	757.66
4663	06/16/2009	38	INSIDE PURCHASES - VENDA CARD PURCHASE	-20.00	737.66
4733	06/16/2009	37	POSTAGE - JUNE	-0.61	737.05
4736	06/17/2009	37	POSTAGE - JUNE POSTAGE	-0.61	736.44
4736	06/17/2009	37	POSTAGE - JUNE POSTAGE	-1.39	735.05
4752	06/19/2009	37	POSTAGE - JUNE CHARGES	-0.44	734.61
8173	06/22/2009	32	DAL COMMISSARY - FOR 6/22/2009	-11.03	723.58
4782	06/29/2009	37	POSTAGE - JUNE CHARGES	-2.24	721.34
4782	06/29/2009	37	POSTAGE - JUNE CHARGES	-2.92	718.42
4782	06/29/2009	37	POSTAGE - JUNE CHARGES	-2.07	716.35
8180	06/29/2009	32	DAL COMMISSARY - FOR 6/29/2009	-13.27	703.08
9181	06/30/2009	10	INMATE EMPLOYMENT - CDAL Payroll 2009-06 Grp 1	15.84	718.92
New balance as of this Transaction					718.92



06/01/2010 To 06/30/2010

Page: 1341

DAL

Location	Inmate#	Last Name	First name	MI	Old balance
I-A-1009	EN0177	FERRI	FRANCIS	R	51.51
Batch#	Date	Tran. Code	Transaction Description	Transaction Amount	Balance after Transaction
6441	06/07/2010	37	POSTAGE - POSTAGE	-7.51	44.00
8165	06/14/2010	32	DAL COMMISSARY - FOR 6/14/2010	-4.31	39.69
6502	06/15/2010	37	POSTAGE - JUNE CHARGES	-7.68	32.01
6516	06/16/2010	13	PERSONAL GIFT FROM - FERRI R	100.00	132.01
6521	06/17/2010	37	POSTAGE - POSTAGE	-2.24	129.77
8168	06/17/2010	86	DAL COMMISSARY CR - FOR 6/17/2010	2.26	132.03
6559	06/24/2010	37	POSTAGE - JUNE CHARGES	-7.34	124.69
8179	06/28/2010	32	DAL COMMISSARY - FOR 6/28/2010	-14.36	110.33
New balance as of this Transaction →					110.33

EXHIBIT - E

*** **Attention All Visitors** ***

Beginning SEPTEMBER 1st, 2010, ALL MONEY ORDERS MUST BE MAILED TO JPAY
at the following address:

NOTICE: The fastest way to receive money is via jpay.com and electronic money transfer or by having someone call 1-800-574-5729.
ALL MONEY ORDERS MUST BE SENT THROUGH THE JPAY LOCKBOX.

JPAY
12864 BISCAYNE BLVD
BOX 221
MIAMI, FL 33181-2007

The DOC has signed a contract with JPAY to provide a lock box service for ALL money orders sent to PA DOC inmates. This is being provided at NO COST to inmate or sender. This service will allow the funds to be posted to inmate accounts electronically and result in quicker access to the deposited funds. Money orders will no longer be accepted at individual institutions.

Money Orders are to be made payable to JPAY

Money order deposit slip MUST BE included in order to process funds and to avoid delay

GUIDELINES

1. JPAY will accept ALL money orders. For US Postal Service money orders, funds will be processed within 48 business hours upon RECEIPT by JPAY. For all other types of money orders, they will process within 48 hours of clearance, which may include additional processing time (up to 5 business days additional). As soon as the money orders clear, funds will be processed for posting to inmate accounts. Funds will be automatically deposited into inmate accounts each business day.
2. A Deposit Slip MUST be filled out and submitted with EVERY money order. Slips are available at www.jpay.com/moneyorder/index.html, visiting rooms and the DOC web page, www.cor.state.pa.us.
3. ALL money order deposit slips MUST have the following information CLEARLY TYPED in order for the funds to be posted to the inmate account: (Handwritten forms are subject to delay)
 - a. CORRECT inmate ID #
 - b. Inmate name
 - c. Sender's name and address

(Notice: If it cannot be determined who the money order belongs to, JPAY will hold funds until they can be verified.
For full Terms and Conditions of held funds please visit www.jpay.com for full disclosure.)

4. DO NOT include personal items when sending money orders. The lock box is for money orders ONLY. Any personal items will be discarded.

***** FAILURE TO FOLLOW THESE GUIDELINES WILL RESULT IN NO MONEY POSTING TO INMATE ACCOUNTS *****

Money order deposit slip **MUST BE** included in order to process funds and to avoid delay.**JPAY.com** Pennsylvania Money Order CouponSave time and money with online money transfer from www.JPay.com

Instructions

Please make ALL Money Orders Payable to **JPAY**

Notice: All Money Orders must be issued in US Funds.

To avoid delay of proper funding visit www.jpay.com and make a money transfer online.

- Use only black or blue ink.
- Verify that the inmate name and ID are entered correctly on the Money Order Coupon
- Do not include any letters or notes with your payment because these will be discarded.
- Detach the Coupon, the lower portion, at the the dotted line and mail with your Money Order.
- Mail coupon and Money Order to JPay, 12864 Biscayne Blvd., Box 221, Miami, FL 33181.
- For additional information call 1 (800) 574-5729.

Sender Receipt (keep for your records)

Amount of Money _____

Inmate's Last Name _____

Inmate's ID _____

Sender's Name _____

Address _____

City _____

State _____ Zip _____

Want your inmate to
receive funds **FASTER?**
Visit www.JPay.com
today and make your
money transfer online.
www.JPAY.com

Notice: If it cannot be determined who a money order belongs to, JPay will hold the funds until they can be verified. For full Terms and Conditions of held funds please visit www.jpay.com for full disclosure.

Detach coupon below and include with your Money Order.

JPAY.com Pennsylvania Money Order Coupon

Amount of Money _____

Mail to: JPay, 12864 Biscayne Blvd., Box 221, Miami, FL 33181

Inmate's ID _____

Inmate's Last Name _____

Sender's Name _____

Sender's phone number _____

Sender's Address _____

City _____

State _____ Zip _____

Please make sure money order is payable to **JPAY**Money order deposit slip **MUST BE** included in order to process funds and to avoid delay.

Notice: If it cannot be determined who a money order belongs to, JPay will hold the funds until they can be verified.
For full Terms and Conditions of held funds please visit www.jpay.com for full disclosure.

EXHIBIT - F

Primary diagnosis	Maximum prison sentence								Life	Execution	Unknown	Total
	≤2 yrs	2-5 yrs	5-10 yrs	10-20 yrs	20-30 yrs	30-40 yrs	>40 yrs					
Mental Retardation												
Borderline Intellectual Functioning	0	1	3	0	0	0	2	0	0	0	6	
Mild Mental Retardation	0	6	8	10	0	2	2	0	0	0	28	
Moderate Mental Retardation	0	2	0	0	0	0	0	0	0	0	2	
Severe Mental Retardation	0	0	0	0	0	0	0	0	0	0	0	
Profound Mental Retardation	0	0	0	0	0	0	0	0	0	0	0	
Mental Retardation, Severity Unspecified	0	0	0	0	0	0	0	0	0	0	0	
Total	0	9	11	10	0	2	4	0	0	0	36	
Not Classified Elsewhere												
Not Classified Elsewhere	3	26	25	18	5	6	6	10	1	0	100	
No Diagnosis Recorded	1	11	10	2	1	0	1	2	0	0	28	
Total	4	37	35	20	6	6	7	12	1	0	128	
Grand total	388	1,809	1,781	1,333	410	249	263	704	40	2	6,979	

Table 18

NUMBER OF MENTALLY ILL INMATES BY AGE GROUP AND PRIMARY MENTAL ILLNESS IN PENNSYLVANIA (FOR EACH ILLNESS, THE PERCENTAGE OF THE TOTAL NUMBER OF MENTALLY ILL INMATES WITHIN EACH AGE GROUP IS LISTED IN PARENTHESIS)

Primary diagnosis	Age 16-39	Age 40-49	Age 50+	Total
Depression NOS	552 (13.7%)	239 (11.6%)	100 (11.0%)	891 (12.8%)
Major Depressive Disorder, Recurrent Episodes	403 (10.0%)	242 (11.8%)	114 (12.6%)	759 (10.9%)
Adjustment Disorder	411 (10.2%)	143 (6.9%)	54 (6.0%)	608 (8.7%)
Schizophrenia, Paranoid Type	209 (5.2%)	201 (9.8%)	95 (10.5%)	505 (7.2%)
Schizoaffective Disorder	238 (5.9%)	161 (7.8%)	60 (6.6%)	459 (6.6%)
Anxiety Disorder, NOS	204 (5.1%)	90 (4.4%)	45 (5.0%)	339 (4.9%)
Brief Psychotic Disorder	209 (5.2%)	51 (2.5%)	31 (3.4%)	291 (4.2%)
Drug Dependence	204 (5.1%)	66 (3.2%)	9 (1.0%)	279 (4.0%)
Dysthymic Disorder	126 (3.1%)	66 (3.2%)	39 (4.3%)	231 (3.3%)
Mood Disorder, Not Otherwise Specified	121 (3.0%)	63 (3.1%)	36 (4.0%)	220 (3.2%)
Psychotic Disorder, NOS	137 (3.4%)	55 (2.7%)	25 (2.8%)	217 (3.1%)
Antisocial Personality Disorder	111 (2.8%)	45 (2.2%)	7 (0.8%)	163 (2.3%)
Bipolar I Disorder, Most Recent Episode Mixed	85 (2.1%)	46 (2.2%)	21 (2.3%)	152 (2.2%)
Post Traumatic Stress Disorder	74 (1.8%)	38 (1.8%)	32 (3.5%)	144 (2.1%)
Major Depressive Disorder, Single Episode	73 (1.8%)	41 (2.0%)	22 (2.4%)	136 (1.9%)
Personality Disorder NOS	80 (2.0%)	33 (1.6%)	17 (1.9%)	130 (1.9%)
Schizophrenia, Undifferentiated Type	47 (1.2%)	52 (2.5%)	27 (3.0%)	126 (1.8%)
Conduct Disorder	93 (2.3%)	19 (0.9%)	5 (0.6%)	117 (1.7%)
Schizophrenia	33 (0.8%)	55 (2.7%)	15 (1.7%)	103 (1.5%)
Not Classified Elsewhere	58 (1.4%)	29 (1.4%)	13 (1.4%)	100 (1.4%)
Substance Withdrawal	59 (1.5%)	37 (1.8%)	1 (0.1%)	97 (1.4%)
Bipol I Disor, Most Recent Episode Hypomanic	38 (0.9%)	26 (1.3%)	24 (2.6%)	88 (1.3%)
Borderline Personality Disorder	64 (1.6%)	14 (0.7%)	1 (0.1%)	79 (1.1%)
Bipol I Disor, Most Recent Episode Depressed	37 (0.9%)	31 (1.5%)	5 (0.6%)	73 (1.0%)
Unsp Mtl/Beh Prob	37 (0.9%)	14 (0.7%)	9 (1.0%)	60 (0.9%)
Grand total (all mental illnesses)	4,015	2,058	906	6,979
Percent of all mentally ill inmates	57.5%	29.5%	13.0%	100.0%

CERTIFICATE OF SERVICE, and
RULE 65(a)(1) NOTICE TO THE ADVERSE PARTY

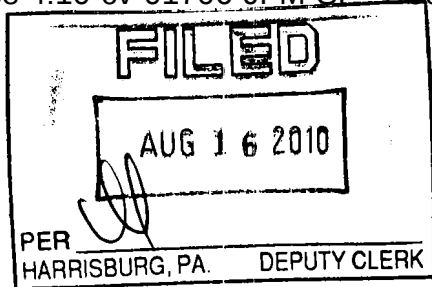
The Plaintiff, Francis R. Ferri, in the attached complaint for a Temporary Restraining Order, Pursuant to Rule 65(b), of Title 28, U.S.C., Federal Rules of Civil Procedure, hereby gives "NOTICE" to the adverse parties, at their respective business addressed below: OF THIS PETITION FOR A TEMPORARY RESTRAINING ORDER:

Pennsylvania Department of Corrections
2520 Lisburn Road
Camp Hill, Pa. 17001-

JPAY
12864 Biscayne Blvd.
Miami, FL 33181-2007

The plaintiff, Francis R. Ferri, by his signature below, hereby asserts, pursuant to the penalty under title 18, U.S.C. Section 1746, that on this 12th day, of August, 2010, he forwarded, via FIRST CLASS MAIL, a copy of this notice attached the cover of the Complaint seeking a Temporary Restraining Order to the DEFENDANTS' businesses Addresses listed above.


Francis R. Ferri EN 0177



CLERK'S COPY

Francis R. Ferri EN 0177
SCI Dallas
1000 Follies Road
Dallas, Pa. 18612

August 11, 2010

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Honorable Judge,
Middle District of Pennsylvania
Federal Building
Harrisburg, Pa. 17108

Dear Honorable Judge:

Attached to this letter is a pro se petition for a Temporary Restraining Order, pursuant to Rule 65(a), Title 28, U.S.C., Federal Rules of Civil Procedure.

Because the defendants in said action plan to place into effect a contract on September 01, 2010, which openly violates the U.S. Constitution in several respects, which in turn will cause irreparable harm to thousands of prisoners, and to the civilian population who send U.S. Postal Money Orders to these prisoners. I urge this Honorable Court to give this petition instant review and issue an order granting or denying the petition.

Therefore, time is of the essence, to bar the irreparable harm, and violations of the U.S. Constitution.

Thank you.

Respectfully submitted,

Francis R. Ferri EN 0177

RECEIVED
HARRISBURG, PA

AUG 16 2010

MARY B. D'ANDREA, CLERK
Per 

NAME Francis Ferri

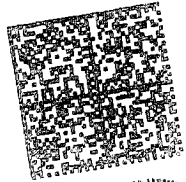
NUMBER EN 0177

State Correctional Institution at Dallas
1000 Follies Road
Dallas, Pennsylvania 18612

INMATE MAIL
PA DEPT. OF CORRECTIONS

U.S. Clerk of Courts
Federal Building
228 Walnut Street
Harrisburg, Pa. 17108

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